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03/09/12

COMMERCIAL BOARD OF ADJUSTMENT
DECISIONS

Wednesday, March 7, 2012
10:00 AM
1000 Throckmorton
City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102

BOARD MEMBERS:

Carl Logan (Alternate)	P
Wendy Vann Roach	P
Gene Miers	P
Norris Fletcher	P
Jake Petras	P
Michael Wellbaum, Chair	A
James Hill	P
Johanna McCully-Bonner, Vice Chair	P
Marlene Beckman	P

I. 9:00 A.M. WORK SESSION Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 10:00 A.M. PUBLIC HEARING Council Chamber

A. Approval of Minutes of the February 1st 2012 Hearings **APPROVED**
6-0-2

III. 12:00 P.M. LUNCH AND STAFF BRIEFING Pre-Council Chamber

1:00 P.M. CONTINUATION OF PUBLIC HEARING Council Chamber

ASSISTANCE AT THE PUBLIC MEETINGS:

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



B. Continued Cases:

- 1. BAC-12-010** **Travis Avenue Baptist Church by Bill Baird** **CD9**
3012-3032 Lipscomb St., 2941 & 2945 Lipscomb Ave, 2943 & 2947
Travis Ave.

 - a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit to construct auxiliary parking lots for a church.
DENIED WITHOUT PREJUDICE 8/0
 - b. Request a **VARIANCE** in an "A-5" One-Family District to permit to construct auxiliary parking lots without providing the required five (5) foot bufferyard.
DENIED WITHOUT PREJUDICE 8/0
 - c. Request a **VARIANCE** in an "A-5" One-Family District to permit to construct auxiliary parking lots without providing the required landscaping and irrigation in the bufferyard.
DENIED WITHOUT PREJUDICE 8/0
 - d. Request a **VARIANCE** in an "A-5" One-Family District to permit to construct auxiliary parking lots without providing the required six (6) foot screening fence.
DENIED WITHOUT PREJUDICE 8/0
 - e. Request a **VARIANCE** in an "A-5" One-Family District to permit to construct auxiliary parking lots encroaching into the front yard and side yard setbacks.
DENIED WITHOUT PREJUDICE 8/0
- 2. BAC-12-015** **Devo Enterprises, Inc. & Baldwin Oil Co., LLC by Race Trac** **CD2**
2870 Western Center Blvd.

 - a. Request a **SPECIAL EXCEPTION** in a "G" Intensive Commercial District to permit an electronic changeable copy sign on a pylon sign. **STIPULATING TIED TO SITE PLAN.**
APPROVED 7/0/1
 - b. Request a **VARIANCE** in a "G" Intensive Commercial District to permit an illuminated detached sign providing approximately three hundred and thirty six (336) square feet signage area where a maximum of two hundred and sixty six (266) square feet signage area is allowed, excessive by approximately seventy (70) square feet.
APPROVED 7/0/1



C. New Cases:

1. BAC-12-020

Child Care Associates by Huey P. Mitchell

CD8

2409 Louisiana Ave., 525 E. Ramsey Ave.

- a. Request a **SPECIAL EXCEPTION** in a "B" Two Family District to permit the continued use of a daycare for one hundred (100) children for an additional 5 years.

APPROVED 7/1

- b. Request a **SPECIAL EXCEPTION** in a "B" Two Family District to permit the use of an auxiliary parking lot for the daycare at 525 E. Ramsey Ave.

APPROVED 7/1

- c. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required five (5) foot bufferyard.

APPROVED 7/1

- d. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required landscaping and irrigation in the bufferyard.

APPROVED 7/1

- e. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required six (6) foot screening fence.

APPROVED 7/1

- f. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of an auxiliary parking lot encroaching into the front yard and side yard setbacks.

APPROVED 7/1

- g. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare providing approximately five thousand and six hundred and twenty two (5,622) square feet play area where a minimum of ten thousand (10,000) square feet play area is required, deficient by approximately four thousand and three hundred and seventy eight (4,378) square feet.

APPROVED 7/1



2. BAC-12-021

McCart Forest, LLC by Suzan Kedron, Jackson Walker LLP
3125 McCart Ave. & 3120 Forest Park Blvd.

CD9

- a. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with four (4) stories in height where a maximum of three (3) story building height is allowed, excessive by one (1) story.

CONTINUED TO APRIL 4, 2012 7/1

- b. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with seventy two (72) dwelling units per acre where a maximum of forty (40) dwelling units per acre are allowed, excessive by thirty two (32) dwelling units per acre for McCart tract.

CONTINUED TO APRIL 4, 2012 7/1

- c. Request a **VARIANCE** in a "MU-1" Low Intensity Mixed-Use District to permit the construction of new residential buildings with sixty eight (68) dwelling units per acre where a maximum of forty (40) dwelling units per acre are allowed, excessive by twenty eight (28) dwelling units per acre for Forest Park tract.

CONTINUED TO APRIL 4, 2012 7/1



3. **BAC-12-022** **Westside Unitarian Universalist Church by Angel Montessori** **CD9**
Preschool

901 Page St., 2409 & 2415 Lipscomb St.

- a. Request a **SPECIAL EXCEPTION** in a "B" Two Family District to permit the continued use of a daycare for eighty five (85) children for an additional 5 years.

APPROVED 8/0

- b. Request a **SPECIAL EXCEPTION** in a "B" Two Family District to permit the use of an auxiliary parking lot for a daycare at 2409 & 2415 Lipscomb St.

APPROVED 8/0

- c. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required five (5) foot bufferyard.

APPROVED 8/0

- d. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required landscaping and irrigation in the bufferyard.

APPROVED 8/0

- e. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare and an auxiliary parking lot without providing the required six (6) foot screening fence.

APPROVED 8/0

- f. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of an auxiliary parking lot encroaching into the front yard and side yard setbacks.

APPROVED 8/0

- g. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of an auxiliary parking lot without providing the chained and locked facility at night.

APPROVED 8/0

- h. Request a **VARIANCE** in a "B" Two Family District to permit the continued use of a daycare providing approximately six thousand (6,000) square feet play area where a minimum of eight thousand and five hundred (8,500) square feet play area is required, deficient by approximately two thousand and five hundred (2,500) square feet.

APPROVED 8/0



4. **BAC-12-023** **Fellowship Church by Brad Stovall** **CD9**
2700-2724 Merrimac St. & 2701-2705 Mercedes St.
- a. Request a **SPECIAL EXCEPTION** in an "R2" Townhouse/ Cluster District to permit to construct auxiliary parking lot for a church.
APPROVED 8/0
- b. Request a **VARIANCE** in an "R2" Townhouse/ Cluster District to permit to construct auxiliary parking lot encroaching approximately fifteen (15) feet into the required twenty (20) foot projected front yard setback, creating an approximate five (5) foot front yard setback along Merrimac St. and Mercedes St. respectively.
APPROVED 8/0
- c. Request a **VARIANCE** in an "R2" Townhouse/ Cluster District to permit to construct auxiliary parking lot without providing the chained and locked facility at night.
APPROVED 8/0
5. **BAC-12-024** **Tersok by Kim Kilpatrick-Terrell** **CD9**
1220 7th Ave.
- a. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of a mobile food park on a vacant lot.
DENIED 5/3
- b. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of a mobile food park on a vacant lot without removing the vending units daily.
DENIED 5/3
- c. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of a mobile food park adjacent to a residential use.
DENIED 5/3
- d. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of six (6) mobile food vending units where a maximum of one (1) mobile food vending unit is allowed, excessive by five (5) mobile food vending units.
DENIED 5/3
- e. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of a mobile food vending park providing approximately fourteen (14) portable tables where a maximum of one (1) portable table is allowed, excessive by approximately thirteen (13) portable tables.
DENIED 5/3
- f. Request a **VARIANCE** in a "NS-T4" Near Southside District to permit the operation of a mobile food park encroaching approximately twenty (20) feet into the twenty (20) foot projected front yard setback, creating an approximate zero (0) foot front yard setback along Seventh Ave.
WITHDRAWN 5/3



6. BAC-12-025

Rodolfo Morales
609 S. Collard St.

CD8

- a. Request a **VARIANCE** in a "F" General Commercial District to permit the operation of an automotive repair center providing eight (8) foot metal fence instead of the required six (6) foot screening fence.

APPROVED 8/0

7. BAC-12-026

Cowtown Chowdown Food Park by Charlie Flores
1100 N. Main St.

CD2

- a. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food park on a vacant lot.

CONTINUED TO APRIL 4, 2012 8/0

- b. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food park on a vacant lot without removing the vending units daily.

CONTINUED TO APRIL 4, 2012 8/0

- c. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of twenty (20) mobile food vending units where a maximum of one (1) mobile food vending unit is allowed, excessive by nineteen (19) mobile food vending units.

CONTINUED TO APRIL 4, 2012 8/0

- d. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the operation of a mobile food vending park providing approximately twenty six (26) portable tables where a maximum of one (1) portable table is allowed, excessive by approximately twenty five (25) portable tables.

CONTINUED TO APRIL 4, 2012 8/0

8. BAC-12-027

James Parkinson Family Trust by I.D Associates, Inc.
4613 S. Hulen St.

CD3

- a. Request a **VARIANCE** in a "F" General Commercial District to permit the installation of an illuminated detached sign of approximately two hundred and ninety five (295) square feet signage area where a maximum of one hundred and seven (107) square feet signage area is allowed, excessive by approximately one hundred and eighty eight (188) square feet.

CONTINUED TO APRIL 4, 2012 8/0

- b. Request a **VARIANCE** in a "F" General Commercial District to permit the installation of an illuminated detached sign providing approximately thirty seven (37) square feet non-illuminated materials in the sign face area where a minimum of approximately forty seven (47) square feet non-illuminated materials are required, deficient by approximately ten (10) square feet.

CONTINUED TO APRIL 4, 2012 8/0

III. ADJOURNMENT: 1:24 P.M.